

**IN THE FRANKLIN COUNTY MUNICIPAL COURT
ENVIRONMENTAL DIVISION
FRANKLIN COUNTY, OHIO**

**STATE EX. REL
COLUMBUS CITY ATTORNEY
ZACH KLEIN**
375 South High Street, 17th Floor
Columbus, Ohio 43215

Relator-Plaintiff,

v.

PAUL PFEIFER
431 Orchard Park Drive
Lexington, Ohio 44904

and

ANDREW PFEIFER
292 Columbian Avenue
Columbus, Ohio 43223

and

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEM
C/O CITIBANK**
CT Corporation System
4400 Easton Commons Way, Suite 125
Columbus, Ohio 43219

and

**CHERYL BROOKS SULLIVAN
FRANKLIN COUNTY TREASURER**
373 South High Street, 17th Floor
Columbus, Ohio 43215

and

**REAL PROPERTY AT
292 COLUMBIAN AVENUE**
292 Columbian Avenue
Columbus, Ohio 43223

Case No. 2022 EVH 60055

Judge Stephanie Mingo

Parcel No. 010-012232

Respondents-Defendants.

AGREED PRELIMINARY INJUNCTION

This cause is before the Court pursuant to Relator's Verified Complaint for Preliminary and Permanent Injunctive Relief filed on January 21, 2022. Relator is represented by Assistant City Attorney, Zach Gwin. Attorney Adam Beane appeared on behalf of Respondents-Defendants Paul Pfeifer, Andrew Pfeifer and the Real Property at 292 Columbian Avenue. The Court finds that all necessary parties have been served with summons according to law and are properly before the Court.

The parties have participated in negotiation to address the Plaintiff's complaint and have reached an agreement that they wish to document in this Agreed Order. Respondent Defendant Paul Pfeifer and Andrew Pfeifer, stipulate to this Preliminary Injunction ("Agreed Order") and agree to set this case in for a status conference on April 19, 2022, at 1 pm. The parties agree to continue to participate in negotiations for a full and complete settlement of the issues in this case. For purposes of this Agreed Order, the Court finds that the Relator has established that Respondents-Defendant, Paul Pfeifer and Andrew Pfeifer are owners and/or persons in charge, care or control of the real property located at 292 Columbian Avenue, Parcel No. 010-012232, situated in the City of Columbus, Franklin County, Ohio ("the Premises"). On information and belief, Relator asserts the following:

1. The Premises came to the attention of the Columbus Police Department ("CPD") in 2021.

2. On January 7, 2020, CPD and Columbus Fire Department ("CFD") were dispatched to the Premises on report of an accidental overdose. Both CPD and CFD administered naloxone to revive the individual. The individual then provided a false name and ID card but eventually provided his correct name and was found to have an active warrant out of Hocking County from a Dangerous Drugs Charge (19CR0126).
3. On November 13, 2020, CPD and CFD responded to the Premises on an individual that was down and out. One witness stated that she and the victim both had a drug problem and used fentanyl. The victim was pronounced deceased shortly after officers arrived.
4. On August 5, 2021, Whitehall police executed a search warrant at the Premises. While waiting to execute the warrant, Detectives observed known individual, Richard Manigoe, enter the residence. Upon executing the warrant, Detectives located the following:
 - a. One (1) Glock 19 in the bedroom closet;
 - b. One (1) 1911A1 45 caliber in the bedroom closet;
 - c. Three hundred (\$300.00) cash;
 - d. Miscellaneous trafficking paraphernalia in the dining room;
 - e. Multiple burner phones.
5. Following execution of the search warrant, Detectives impounded a vehicle associated with the suspects and located two more firearms.
6. On or about September 9, 2021, Whitehall Police along with CPD SWAT executed another search warrant at 292 Columbian Avenue. Richard Manigoe was again found at the Premises. Detectives searched the residence and recovered the following
 - a. Twelve (12) grams suspected crack cocaine in the stairwell;

- b. Fifteen (15) grams of suspected Fentanyl in the stairwell
 - c. Two thousand eight hundred and seventy-nine dollars(\$2,879.00) cash;
 - d. One digital scale in the dining room;
 - e. One STR pistol in the stairwell
 - f. Multiple cell phones
 - g. One ski mask.
7. On November 2, 2021, CPD responded to a Shotspotter alert in the area of the listed location. Witnesses stated that 292 Columbian Avenue appeared to be the intended target. One witness stated that a vehicle drove up to the residence and fired off several shots. Upon searching the basement, officers located a firearm and arrested an individual found hiding in the basement. This same individual currently has an active warrant for felonious assault. In their notes, CPD officers note that the location is familiar for being a revolving door for drug dealers and had been the subject of multiple search warrants.
8. On December 10, 2021, CPD received a call that a female was bringing drug dealers to the house and that he is "sick of it and wants to part of it."
9. Relator-Plaintiff alleges that the Premises is a public nuisance as defined in § 3767.01 and/or R.C. § 3767.12. (*et seq.*), C.C.C. 4703.01(F), and under common law, subject to abatement under R.C. § 3767.

It is hereby **ORDERED** as follows:

1. All occupants of the Premises except Andrew Pfeifer and Paul Pfeifer be forcibly removed from the Premises on February 9, 2022 on or after 3:00PM. In executing this order, all barricades throughout the structure may be forcibly removed so as to prevent fortifying

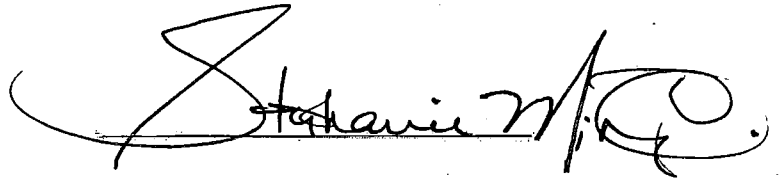
positions of the residence. Other occupants may be forcibly detaining during the execution of this order. These provisions shall apply until a final decision is rendered on the Complaint for Preliminary and Permanent Injunctive Relief as required by R.C. § 3767.04. This temporary restraining order shall apply to and prohibit any other person besides Andrew Pfeifer, Paul Pfeifer, and employees or representatives of the United States Department of Veterans Affairs providing benefits and support to Andrew Pfeifer from entering upon the parcel.

2. Any other person found on the Premises may be forcibly removed and shall be in violation of this order which shall be considered contempt of court and punishable as a misdemeanor of the first degree. Andrew Pfeifer or Paul Pfeifer shall post this Order in a conspicuous place on the exterior of the Premises to prevent trespassing. Paul Pfeifer and Andrew Pfeifer also authorize members of the Columbus Division of Police to charge any other individuals on the Premises with criminal trespassing.
3. Paul Pfeifer, Andrew Pfeifer, and all other persons are preliminarily enjoined from maintaining a nuisance at the Premises.
4. Following execution of Paragraphs 1 and 2 of this Order, no person other than Andrew Pfeifer, Paul Pfeifer, or employees or representatives of the United States Department of Veterans Affairs providing benefits and support to Andrew Pfeifer may enter and/or occupy 292 Columbian Avenue, Columbus, Ohio, including any portion of the parcel. Any violation of this order, including mutilation of this order, is contempt of court, punishable as a first degree misdemeanor.
5. Upon credible evidence of violations of R.C. 3767 or other felony offenses, Relator-Plaintiff may motion this court for an ex parte hearing to determine if immediate closure of the Premises is necessary to abate additional nuisance activity or felony offenses.

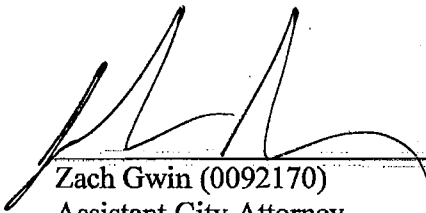
6. Respondent-Defendant Andrew Pfeifer shall take all reasonable efforts to prevent others from entering or occupying the Premises at 292 Colombian Avenue.
7. This order shall be served upon the Respondents-Defendants by the Columbus Division of Police or Relator's Counsel; the order may be served by posting a copy of it in a conspicuous place at or upon one or more of the principal doors or entrances of the property. The Parties agree to motion this Court to seek reasonable modifications to this Agreed Entry, in order to facilitate the sale and/or development and/or maintenance and repair of the Premises in a manner in which Plaintiff is reasonably assured will not constitute a public nuisance.

2-9-22.

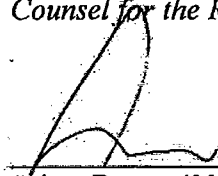
DATE



JUDGE STEPHANIE MINGO



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Real Property at 292 Colombian Avenue*